

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Stephen Venditti et al.)	Group Art Unit: 2161
)	
Application No.: 10/713,416)	Examiner: E. P. Leroux
)	
Filed: November 14, 2003)	Confirmation No.: 2730
)	
For: DATA ACCESS AND RETRIEVAL)	
MECHANISM)	
)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTERVIEW AGENDA

Applicant's representatives wish to thank Examiner LeRoux for agreeing to conduct a telephone interview, scheduled for July 14, 2008 at 2:00 pm, in connection with this application. Applicant's representatives would like to discuss the following during the interview.

I. Rejection Under 102

Claims 1, 17, 33 and 46-54 are rejected under 35 U.S.C. 102(a) as being anticipated by Pub. No. US 2003/0046281 (hereafter *Son*).

A. Claim 1:

Proposed claim 1 requires, *inter alia*, after the user's selection of the at least one resource from the at least one search result:

- “designating a system location in which the content of the selected at least one resource is to be preserved...”, and
- “executing, in response to the user’s selection, a command to preserve the content of the selected at least one resource in the system location.”

Applicant’s representatives believe the “designating a system location” and “executing . . . a command to preserve the content of the selected at least one resource in the system location” as recited in claim 1 have not been given due weight.

B. Son:

Son discloses a system in which “the user selects content directly from the search results included in the referenced search history of a registrant and issues a request to get the content.” See *Son* at para. 101. Applicant respectfully points out that neither *Son*’s para. 0101 nor elsewhere in *Son* is there disclosure of “designating a system location in which the content of the selected at least one resource is to be preserved”

Son is silent on preserving the user-selected content, and is silent on designating a system location in which user-selected content is to be preserved. Therefore, *Son* does not explicitly teach these elements. Further, inherency of these elements in *Son* has not been established. Specifically, it has not been made clear “that the missing descriptive matter is necessarily present” in the system described in *Son*. See MPEP 2112 IV. Thus, the rejection under 35 U.S.C. 102(a) is improper.

II. Proposed Clarifying Amendments

Applicant's representatives also submit for the Examiner's consideration proposed amendments to the independent claims. These amendments are not made to distinguish the independent claims over the prior art of record, but rather to clarify the subject matter sought to be patented. The below amendments to claim 1 are representative of those proposed for all independent claims:

1. A computer-implemented method for facilitating access to resources which are included in a data collection, each of the resources comprising a self-contained module of data and having content, the data collection comprising a plurality of the resources, the method comprising acts of:

(A) executing a search query on the data collection to produce at least one search result, the search query specifying at least one criterion, each at least one search result identifying a resource which satisfies the at least one criterion;

(B) after executing the search query, providing an input mechanism by means of which a user may select at least one resource from the at least one search result, for preservation; preserving the selected at least one resource identified in the at least one search result, wherein preserving the selected at least one resource comprising preserving content of the selected at least one resource;

- (C) after the user's selection of the at least one resource from the at least one search result, selecting designating a system location in which the content of the selected at least one resource is to be preserved; and
- (D) executing, in response to the user's selection, a command to preserve the content of the selected at least one resource in the system location.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 11, 2008

By: Maura K. Moran
Maura K. Moran
Reg. No. 31,859